



United States Department of State

Washington, D.C. 20520

OCT 13 2004

Dear Mr. Conyers:

Thank you for your letter of September 13 regarding the FY 2004 and FY 2005 U.S. refugee admissions programs. We, too, are gratified that the program has been able to recover this year from the disruptions caused by 9/11. The three-year effort to restore and strengthen the program has truly been a team undertaking, led by the Department of State but involving other federal agencies, including law enforcement, intelligence agencies, and the Departments of Homeland Security, and Health and Human Services. Our voluntary agency and international organization partners have also played key roles in rejuvenating the program. As a result of these combined efforts, we admitted 52,868 in FY 2004. In addition, the program enters FY 2005 with a healthy pipeline of already approved refugees who will complete final processing and be able to move to the U.S. early in the new fiscal year.

We also appreciate your interest in and questions about the FY 2005 program. The Administration's proposal for FY 2005 includes regionally allocated ceilings of 50,000 and an unallocated reserve of an additional 20,000. As you point out, these ceilings are the same as in the past two fiscal years. Rising per capita processing costs and repatriation possibilities for many of our targeted groups have led to the conclusion that, at present, a plan including 50,000 regional allocations for FY 2005 is both realistic and attainable. We are committed, however, to identifying both additional refugees needing resettlement and the funding needed to admit over 50,000 in FY 2005.

The Honorable  
John Conyers Jr.,  
Committee on the Judiciary,  
House of Representatives.

We agree that we need to continue our focus on long-staying refugee populations, both for general assistance and possible resettlement. Our recent efforts have led to resettlement of significant numbers of such refugees, including the Lost Boys of Sudan and the Somali Bantu from camps in Kenya, the at-risk Liberians in the Ivory Coast, the Meskhetian Turks in Russia, and the Hmong-Lao living in the Wat Tham Krabok in Thailand. In fact, some 75% of FY 2004 refugee arrivals will have come from protracted refugee situations.

The following are responses to the additional questions posed in your letter.

- 1) Overall Admissions Ceiling: In the years between the enactment of the Refugee Act and September 11, 2001, annual admissions ranged from 61,000 (in 1983) to 132,000 (in 1991), with the peak admissions numbers between 1989 and 1994. During those years, admissions were primarily from Southeast Asia and the Former Soviet Union. As those caseloads declined, the program shifted to processing smaller, more varied populations in many more locations. More recently, with increasing repatriation opportunities for large populations of refugees, the overall decline in the world's refugee population, and the rising costs associated with processing smaller groups in more locations, we are realistically able to project possible admissions of no more than 50,000 to 70,000.
- 2) Per Capita Cost of Refugee Admissions: With new security measures put in place since 9/11, the per capita cost of processing and admitting refugees to the U.S. during FY 2004 was roughly \$3,500. This was a decline from the prior two years, when our per capita cost spiked to \$4,500, mainly because of the low arrivals those two years and the loss of economies of scale. Prior to 9/11, the per capita program cost was \$2,200. The FY 2005 cost will likely remain about \$3,500, but could fluctuate considerably, depending upon where refugees are processed and what security enhancements will be necessary to provide a safe working environment for U.S. government and contract personnel.
- 3) Funding: The Administration's FY 2005 MRA request for \$730 million includes \$135.7 million for the Admissions Program. Diverting any more of the MRA request to Admissions would diminish the Bureau's ability to carry out vital humanitarian assistance programs overseas. We anticipate that the \$135.7 million, along with anticipated loan collections, carry-forward and recoveries, will be sufficient to admit some 46,000 refugees (at a per capita program cost of \$3,500). Thus, even to reach 50,000, we will

need to reduce the FY 2004 per capita costs by some 10% or find an additional \$14 million. As the Report indicates, moving beyond the 50,000 regionally allocated numbers toward the total ceiling of 70,000 would require the identification of significant additional resources.

- 4) Protracted Refugee Situations: During FY 2005, we will continue to admit thousands of refugees from protracted situations who were identified by PRM or referred by UNHCR and approved by DHS during FY 2004. They include Hmong-Lao from the Wat Tham Krabok in Thailand, Somali Bantu from camps in Kenya, and Meskhetian Turks in Russia. In addition, we plan to pursue processing of Somali Benadir in Kenya, Burundi in Tanzania, Liberians in Guinea, Ghana and Sierra Leone, and Vietnamese in the Philippines. We will continue to monitor the situations of two very large groups of long-stayers – the Bhutanese in Nepal and Burmese in camps on the Thai border – for possible resettlement in FY 2005 or later. Other groups in protracted situations under discussion for possible resettlement include Ethiopians in Yemen, Somali Barawans in Kenya, Burmese Chin and Indonesian Acehanese in Malaysia, Mauritians in Senegal and Kunama in Ethiopia.
- 5) Targeted Response Teams: We will make plans for use of Targeted Response Teams early in FY 2005. There are several possible areas for their use, particularly in Asia and East Africa. Such teams can be assembled and deployed on relatively short notice, which is part of the value they bring to the program.
- 6) Unaccompanied Refugee Minors: We are committed to further addressing the needs of unaccompanied refugee minors in FY 2005. We plan to work with UNHCR and provide additional support to strengthen its capacity to conduct appropriate “Best Interest of the Child” assessments for such children. We are committed to accepting referrals of unaccompanied children based upon such assessments, which take into consideration the likelihood of the child’s parents being alive, the physical proximity of other supportive relatives, and the advisability of removing a child from the care of another refugee family.
- 7) Reduction in Africa’s Ceiling: The FY 2005 proposal includes a slightly lower regional ceiling (20,000) for African admissions. This is due in large part to our success in addressing many of the most pressing resettlement needs in Africa during FY 2004, including the large Somali Bantu and at-

risk Liberian populations. Given repatriation efforts currently underway for some of the largest refugee populations in Africa, we believe that 20,000 is a reasonable and realistic ceiling for the region. However, we will not ignore the needs of additional caseloads in Africa and will use unallocated reserve numbers if needs develop and funding is identified.

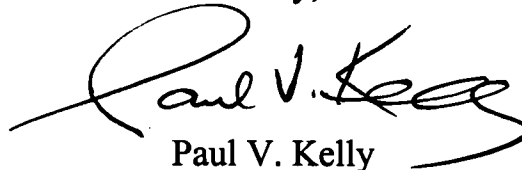
- 8) Congolese Refugees in Mozambique: Following an interagency Targeted Response Team visit to Mozambique last year, UNHCR committed to referring individual Congolese refugees among a group of some 2,000 in Marratane camp for U.S. resettlement. We have received roughly 300 referrals to date. Once DHS has had an opportunity to adjudicate these first cases in early FY 2005, we will have a better idea of the quality of the cases and will again raise the possibility of a larger group referral from UNHCR.
- 9) Crisis in Darfur: The United States has led the international community in the provision of assistance to the suffering people of Darfur (\$240 million to date) and will remain in the forefront. We have pledged \$299 million in humanitarian aid through Fiscal Year 2005, and pledged \$11.8 million to the African Union ceasefire monitoring mission - and we are well on our way to exceeding those pledges. The most practical short-term contribution from the USG and the international community is to improve the security of Darfur by increasing the number of African Union monitors and forces. For PRM's part, we have contributed over \$47 million to assist Sudanese refugees in Chad and over \$8 million to protect and assist conflict victims in Darfur. In the intermediate and long-term, a solution can best be achieved through conclusion of a comprehensive peace agreement between the Government of Sudan and the southern rebel Sudan People's Liberation Movement, and a political settlement with the Darfur rebel groups.
- 10) Near East and South Asia Ceiling: The Administration has proposed a ceiling of 2,500 for this region, an increase of 500 over the ceiling in FY 2004. We expect that the implementation of the Specter amendment will have a positive impact on Iranian applicants in the region and that we may need to use unallocated reserve numbers for the region if funding is identified.
- 11) Refugee Corps: The Refugee Corps is being established by DHS/USCIS. Our recommendation is that you direct questions related to this initiative to them.

- 12) Use of Private Voluntary Organizations: PRM complies with P.L. 108-199, which requires that the Department of State utilize private voluntary organizations in the processing of refugees overseas. Of the \$38 million obligated in FY 2004 for this purpose, \$26 million went to NGO implementing partners operating processing centers in Nairobi, Accra, Istanbul, and Vienna. NGOs will be encouraged to submit proposals for additional processing centers as the need for them is identified.
- 13) Priority 3 Refugee Processing: P.L. 108-199 states that “The Secretary of State shall give special consideration to refugees of all nationalities who have close family ties to citizens and residents of the United States; and other groups of refugees who are of special concern to the United States.” Family reunion is an important component of the U.S. admissions program. Under Visa-93 guidelines, immediate relatives (spouses, unmarried children under 21 years of age) of any refugee are eligible for admission to the United States as refugees as long as their relationships to the refugee can be established, and they are otherwise admissible. In addition, since family reunion is central to UNHCR’s approach to resettlement, individual cases referred by them to the United States often are linked through family ties. The Priority 3 (P-3) program provides access to DHS refugee interviews to parents of refugees and asylees. The list of nationalities eligible to apply under this component of the program was expanded to fourteen for FY 2005. This list was derived from an analysis of refugee populations in need of resettlement as identified by the U.S. Government, UNHCR and other experts.
- 14) Universal In-Country Processing: The FY 2005 proposal includes Presidential authorization for in-country processing in the locations where an established in-country program already exists (Former Soviet Union, Cuba, and Vietnam) and for extraordinary cases in any other location. The latter authority is new this year and would allow U.S. embassies, in consultation with PRM and DHS/USCIS, to refer individuals known to them and who are in particular danger. This authority would supplement the usual avenue of humanitarian parole for such individuals.
- 15) Cubans and Haitians: P-3 eligibility is limited to relatives of refugees of certain nationalities who are outside their country of nationality or habitual residence. You note that Cubans and Haitians have been added to the list of eligible nationalities, but that you are concerned that there are no processing posts in the region that could process such applicants. In fact, we process

many refugee cases in locations where there is no processing post. These are handled on a circuit ride basis by the processing entity with jurisdiction in the region. For processing in Latin America and the Caribbean, we currently use a "Virtual" Overseas Processing Entity (OPE) located at the Refugee Processing Center (RPC) in Rosslyn, Virginia that operates on a circuit ride basis to the region. Furthermore, we continue to monitor resettlement activities in the region to assess the need to establish a permanent OPE presence at some future date. So far, processing activities in the region have been relatively limited.

Thank you again for your continued interest in and support of the U.S. refugee program. Please do not hesitate to contact us again if you have additional questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul V. Kelly". The signature is fluid and cursive, with a large initial "P" and a stylized "K".

Paul V. Kelly  
Assistant Secretary  
Legislative Affairs